

# FEDERAL REGISTER

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Washington, Thursday, September 14, 1939

*The President*

CONVENING THE CONGRESS IN EXTRA  
SESSION

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA

## A PROCLAMATION

WHEREAS public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on Thursday, the Twenty-first day of September, 1939, to receive such communication as may be made by the Executive;

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the City of Washington on Thursday, the Twenty-first day of September, 1939, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the City of Washington this 13th day of September, in the year of our Lord nineteen hundred and [SEAL] thirty-nine, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2365]

[F. R. Doc. 39-3364; Filed, September 13, 1939; 1:54 p. m.]

## EXECUTIVE ORDER

REGULATIONS GOVERNING THE ENTRANCE OF  
FOREIGN AND DOMESTIC AIRCRAFT INTO  
THE CANAL ZONE, AND NAVIGATION  
THEREIN

By virtue of and pursuant to the authority vested in me by section 14 of title 2 of the Canal Zone Code, as amended by the act of July 9, 1937, 50 Stat. 486 (U.S.C., title 48, sec. 1314 a), I hereby prescribe the following regulations governing the entrance of foreign and domestic aircraft into the Canal Zone, and navigation of such aircraft within the Canal Zone.

SEC. 1. *Canal Zone set apart as military airspace reservation.* The airspace above the Canal Zone, including the territorial waters within the three-mile marine boundary at each end of the Canal, is hereby set apart as and declared to be a military airspace reservation, to be known as the "Canal Zone Military Airspace Reservation."

SEC. 2. *Unlawful navigation of aircraft in military airspace reservation.* It shall be unlawful to navigate any foreign or domestic aircraft into, within, or through the Canal Zone Military Airspace Reservation otherwise than in conformity with this Executive order: *Provided, however,* that none of the provisions of this order shall apply to military, naval, or other public aircraft of the United States.

SEC. 3. *Authorization for entrance of aircraft into the Canal Zone Military Airspace Reservation, and navigation therein.* Aircraft, foreign or domestic, shall be navigated into, within, or through the Canal Zone Military Airspace Reservation only under and in compliance with an authorization granted after the effective date of this order (a) by the Civil Aeronautics Authority in the case of civil aircraft, and (b) by the Secretary of State in the case of all other aircraft. Such authorization shall be granted only after consultation with the Secretary of War, and shall

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be subject to the further rules and regulations contained in or issued under this order, as well as those applicable generally to the entrance of aircraft into, and their navigation within or through, the Canal Zone Military Airspace Reservation. Application for such authorization shall be made (a) to the Civil Aeronautics Authority for flights by domestic civil aircraft, and (b) to the Secretary of State for flights by all other aircraft. All applications shall, unless otherwise directed by the Secretary of State or the Civil Aeronautics Authority, so far as either has jurisdiction with respect to

particular classes of flights under this order, and with the agreement of the Secretary of War, set forth (a) the name, nationality, and address of the owner and of the pilot of the aircraft, (b) the make, model, and type of aircraft and information as to the registration thereof, (c) the registration marks displayed on the aircraft, (d) the names and nationalities of all persons aboard the aircraft, including passengers and crew, (e) the itinerary of the flight, (f) the purpose of the flight, (g) the expected time of arrival and duration of the stop within the Canal Zone, and (h) a statement as to firearms and cameras, if any, to be carried. In case any persons on board the aircraft, including passengers and crew, are in any way connected, either directly or indirectly, with the civil, military, or naval services of any foreign nation, in addition to designating such persons by name and nationality, the application shall contain a statement showing their connection with such service.

**SEC. 4. Aircraft operated by and transporting only citizens of the United States or its possessions.** Aircraft operated by and transporting only persons who are citizens of the United States or its possessions, for which authorization has been granted under provisions of this order to be navigated into, within, or through the Canal Zone Military Airspace Reservation, shall nevertheless not be so navigated into, within, or through such reservation unless the following conditions, or such of them as have not been specifically waived in each case as provided in section 6 hereof, are complied with:

(a) Prior to departure from the last point of landing before reaching the Canal Zone, the person in responsible charge of the aircraft shall notify the Governor of The Panama Canal, hereinafter referred to as the "Governor", preferably by radio, of the probable time of arrival and the cruising altitude and speed.

(b) Such aircraft shall enter the Canal Zone Military Airspace Reservation via the prescribed route for private aircraft, and shall follow said route to, and land at, the landing area designated by the Governor, and such aircraft shall not pass through the said airspace reservation without so landing therein.

(c) Immediately after landing in the Canal Zone, the pilot of the aircraft shall report to the Aeronautical Inspector of The Panama Canal for instructions, and shall observe the instructions received.

(d) All such aircraft shall have all cameras carried therein sealed before taking off from the last point of landing prior to arrival at the Canal Zone Military Airspace Reservation, and all such cameras must remain under seal while within the said reservation.

(e) Without the authorization of the Governor, no arms, ammunitions, or explosives, except small arms, shall be carried aboard such aircraft.

(f) While within the Canal Zone Military Airspace Reservation, all aircraft shall be navigated in conformity with instructions or authorization of the Governor.

**SEC. 5. Aircraft operated by or transporting persons who are not citizens of the United States or of its possessions.** Aircraft operated by or transporting persons who are not citizens of the United States or its possessions, for which authorization has been granted under provisions of this order to be navigated into, within, or through the Canal Zone Military Airspace Reservation, shall nevertheless not be so navigated into, within, or through said reservation unless the following conditions, or such of them as have not been specifically waived in each case as provided in section 6 hereof, are complied with for each flight of such aircraft:

(a) The term "flight" as used herein shall signify one or a number of aircraft under the command of or in responsible charge of a single person.

(b) Not over twelve aircraft shall be included in one flight.

(c) Prior to departure from the last point of landing before reaching the Canal Zone, the commander or the person in responsible charge of the flight shall notify the Governor, preferably by radio, of the probable time of arrival and the cruising altitude and speed.

(d) The flight shall approach the Canal Zone following commercial air lanes to a rendezvous point, outside of the Canal Zone, designated by the Governor and announced by him to the Secretary of State or the Civil Aeronautics Authority.

(e) On approaching the Canal Zone, the flight shall be met at the rendezvous by an official escort of aircraft from the Canal Zone and shall be escorted from the rendezvous point via a route prescribed by the escorting aircraft to a landing area in the Canal Zone. All such aircraft entering the Canal Zone Military Airspace Reservation shall land in the Canal Zone at the landing area designated by the Governor, and no aircraft shall pass through the said airspace reservation without so landing therein.

(f) Immediately after landing in the Canal Zone, the commander or the person in responsible charge of the flight shall report to the Aeronautical Inspector of The Panama Canal for instructions, and shall observe the instructions received.

(g) A similar procedure with escort shall be required in leaving the Canal Zone.

(h) Without the authorization of the Governor, no arms, ammunition, or ex-



plosives, except small arms, shall be carried aboard such aircraft.

(i) All such aircraft shall have all cameras carried therein sealed before taking off from the last point of landing prior to arrival at the Canal Zone Military Airspace Reservation, and all such cameras must remain under seal while within the said reservation.

(j) While within the Canal Zone Military Airspace Reservation, all aircraft shall be navigated in conformity with instructions or authorization of the Governor.

SEC. 6. *Waiver of application of certain sections of order.* The Secretary of State or the Civil Aeronautics Authority, so far as either has jurisdiction with respect to particular classes of flights under this order, and with the agreement of the Secretary of War, may waive the application of all or any part of the provisions of sections 2, 3, and 4 of this order.

SEC. 7. *Authority of Governor to administer order and make detailed regulations.* Except as otherwise specifically provided herein, the provisions of this order shall be administered and enforced by the Governor, and the Governor is hereby authorized to make such detailed regulations as may be necessary to carry into effect the provisions of this order.

SEC. 8. *Punishment for violations.* Any person who shall violate any of the provisions of this order shall be punishable, as provided in section 14 of title 2 of the Canal Zone Code, *supra*, by a fine of not more than \$500, or by imprisonment in jail for not more than one year, or by both.

SEC. 9. *Order subject to prior order and proclamation; revocation of prior orders and regulations.* The provisions of this order shall be administered subject to the provisions of Executive Order No. 8232 of September 5, 1939,<sup>1</sup> entitled "Control of The Panama Canal and the Canal Zone", and the provisions of Proclamation No. 2350 of September 5, 1939,<sup>2</sup> entitled "Prescribing Regulations Concerning Neutrality in the Canal Zone." Executive Order No. 4971 of September 28, 1928, designating the Secretary of State to receive and pass upon all applications for the privilege of operating commercial aircraft between the Canal Zone and foreign countries, is hereby revoked; and all other Executive orders and all regulations of the Secretary of State are hereby revoked in so far as and to the extent that they are in conflict with this order.

SEC. 10. *Effective date.* This order shall take effect ninety days after the date hereof.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

September 12, 1939.

[No. 8251]

[F. R. Doc. 39-3347; Filed, September 12, 1939; 2:58 p. m.]

<sup>1</sup> 4 F.R. 3812 DI.

<sup>2</sup> 4 F.R. 3821 DI.

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### DIVISION OF MARKETING AND MARKETING AGREEMENTS

[Order No. 27, Amendment 1]

#### CHAPTER IX—MARKETING ORDERS

#### PART 927—AMENDMENT NO. 1 TO ORDER REGULATING THE HANDLING OF MILK IN THE NEW YORK METROPOLITAN MARKETING AREA\*

##### CONTENTS

Sec.  
927.0 Findings.  
927.4 Minimum prices.  
927.10 Effective time.

Whereas, the Secretary of Agriculture of the United States of America, pursuant to the powers conferred upon the Secretary by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, issued, on August 5, 1938, and, on August 26, 1938, made effective as of September 1, 1938, Order No. 27<sup>1</sup> regulating the handling of milk in the New York metropolitan marketing area; and

Whereas, the Secretary, having reason to believe that an amendment to said order would tend to effectuate the declared policy of the act, gave, on the 17th day of August 1939, notice of a hearing<sup>2</sup> which was held on August 24 at Syracuse, New York, and on August 25 at New York City, New York, and, at said times and places, conducted a public hearing at which all interested parties were afforded an opportunity to be heard on a proposed amendment to said order; and

Whereas, the Secretary of Agriculture finds (Sec. 927.0), upon the evidence introduced at said hearing on such proposed amendment, said findings being in addition to the findings made upon the evidence introduced at the hearing on said order and to the other findings made prior to or at the time of the original issuance of said order (which findings are hereby ratified and affirmed, save only as such findings are in conflict with findings hereinafter set forth):

1. That the severe drouth affecting a large part of the New York milkshed makes necessary the adjustments in the class prices for the period set forth in this amendment; that prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to section 2 and section 8e of the act, are not reasonable in view of the available

\*Amendment to section 927.0, section 927.4, and section 927.10 issued under the authority contained in 48 Stat. 31 (1933), 7 U.S.C. § 601 et seq. (1934); 49 Stat. 750 (1935); 50 Stat. 246 (1937), 7 U.S.C. § 601 et seq. (Supp. IV 1938).

<sup>1</sup> 3 F.R. 1945 DI.

<sup>2</sup> 4 F.R. 3673 DI.

supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That the order, as amended, regulates the handling of milk in the same manner as a marketing agreement upon which a hearing has been held; and

3. That the issuance of this amendment to the order, and all of the terms and conditions of the order, as amended, will tend to effectuate the declared policy of the act:

Now, therefore, the Secretary of Agriculture, pursuant to the powers conferred upon him by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, hereby orders that the order regulating the handling of milk in the New York metropolitan marketing area be and it is hereby amended as follows:

A. Amend paragraph 1 of section 1 of article IV (Sec. 927.4 (a) (1)) by changing the period after the word "market" to a semicolon and adding the following:

"provided, that for any month prior to May 1, 1940, the price in effect for Class I milk shall be not less than \$2.82 per hundredweight, and, provided further, that for Class I milk sold by a handler in the marketing area under a program approved by the Secretary and upon which payment is made out of Federal funds, the price shall be 57 cents per hundredweight less than would otherwise be in effect pursuant to this paragraph."

B. Amend paragraph 2 of section 1 of article IV (Sec. 927.4 (a) (2)) by changing the period after the word "market" to a semicolon and adding the following:

"provided, that for any month prior to May 1, 1940, the price in effect for Class II-A milk shall not be less than \$1.90 per hundredweight."

C. Amend paragraph 3 of section 1 of article IV (Sec. 927.4 (a) (3)) by changing the period after the word "price" to a semicolon and adding the following:

"provided, that for any month prior to May 1, 1940, the Class II-B price shall be 40 cents higher than the Class III-A price."

D. Amend paragraph 5 of section 1 of article IV (Sec. 927.4 (a) (5)) by changing the period after the word "price" to a semicolon and adding the following:



"provided, that for any month prior to May 1, 1940, the Class III-B price shall be 50 cents higher than the Class IV-A price."

E. Delete section 1 of article X (sec. 927.10 (a)).

In witness whereof, I, H. A. Wallace, Secretary of Agriculture of the United States, have executed, in duplicate, and issued this order, to become effective at such time as I may subsequently declare, and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 12th day of September 1939.

[SEAL] H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 39-3355; Filed, September 13, 1939; 12:10 p. m.]

#### TITLE 24—HOUSING CREDIT

##### FEDERAL HOME LOAN BANK BOARD AMENDMENT TO RULES AND REGULATIONS FOR THE FEDERAL HOME LOAN BANK SYSTEM

##### REQUIRING THE PROMPT FILING OF ANNUAL REPORTS BY MEMBER INSTITUTIONS

Be it resolved, That Section 3.4 of the Rules and Regulations for the Federal Home Loan Bank System is amended, effective September 13, 1939, to read as follows:

"3.4 Reports. Each member shall make an annual report of its affairs as of the end of its fiscal year upon forms prescribed by the Board. Two copies of such annual report shall be forwarded within 30 days after the end of such fiscal year to the member's Bank, one copy of which shall thereupon be transmitted by the Bank to the Governor of the Federal Home Loan Bank System."

(Sec. 17 of F.H.L.B.A., 47 Stat. 736; 12 U.S.C. 1437)

Adopted by the Federal Home Loan Bank Board on September 12, 1939.

[SEAL] H. CAULSEN,  
Assistant Secretary.

[F. R. Doc. 39-3349; Filed, September 13, 1939; 10:17 a. m.]

#### TITLE 46—SHIPPING

##### BUREAU OF MARINE INSPECTION AND NAVIGATION

##### SUBCHAPTER A—DOCUMENTATION, ENTRY AND CLEARANCE OF VESSELS

5.60 is amended to read as follows:

"Any vessel taking on cargo for a foreign port, or a port in non-contiguous territory, and all shippers' export declarations covering cargo laden on board have not been filed, may, by application to the collector of customs on Commerce Form 1378B and the execution of the bond thereon, with security approved by the collector of customs as provided in Section 4200, R. S. as amended, be granted clearance; *Provided, however,* That during any period covered by

a Proclamation of the President that a state of war exists between foreign nations, no vessel shall be cleared for a foreign port until all shipper's export declarations covering cargo laden thereon have been filed with the collector."

This amendment shall become effective October 1, 1939.

[Section 4200 of the Revised Statutes, as amended by the Act of June 16, 1938, and Public Resolution 130, approved June 29, 1938 (46 U.S.C. 92); Act of April 29, 1902, as amended by the Act of May 17, 1932 (46 U.S.C. 95).]

[SEAL] J. M. JOHNSON,  
Acting Secretary of Commerce.  
SEPTEMBER 12, 1939.

[F. R. Doc. 39-3346; Filed, September 12, 1939; 1:41 p. m.]

#### TITLE 47—TELECOMMUNICATION

##### FEDERAL COMMUNICATIONS COMMISSION

##### PART 3.—RULES GOVERNING STANDARD BROADCAST STATIONS

The Commission on September 12, 1939, amended Section 3.90 (a) (2)<sup>1</sup> of the Rules Governing Standard Broadcast Stations, to become effective immediately, by deleting the words "together with the name or title of each" and adding the words "of the complete program" so that the rule will read:

(2) An entry briefly describing each program broadcast, such as "music," "drama," "speech," etc., together with the name or title thereof, and the sponsor's name with the time of the beginning and ending of the complete program. If a mechanical record is used the entry shall show the exact nature thereof such as "record," "transcription," etc., and the time it is announced as a mechanical record. If a speech is made by a political candidate, the name and political affiliations of such speaker shall be entered.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i))—(Sec. 303 (j), 48 Stat. 1082; 47 U.S.C. 303 (j)).

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 39-3358; Filed, September 13, 1939; 12:39 p. m.]

##### PART 3.—RULES GOVERNING STANDARD BROADCAST STATIONS

##### Correction

Change headnote in Section 3.93<sup>2</sup> to read "Mechanical records." instead of "Mechanical reproductions."

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 39-3359; Filed, September 13, 1939; 12:39 p. m.]

<sup>1</sup> 4 F.R. 2721 DI.  
<sup>2</sup> 4 F.R. 2721 DI.

#### PART 8—RULES GOVERNING SHIP SERVICE

The Commission on September 12, 1939, amended Section 8.143<sup>1</sup> of Part 8, Rules Governing Ship Service, effective October 1, 1939, by the deletion of that portion of the section designated as paragraph (c) and the substitution therefor of the following:

(c) A radiotelegraph transmitter, installed on board a subject vessel prior to July 26, 1939, which complies with each specific requirement for a main transmitter contained in Section 8.143 hereof except "power required to be developed" but which meets the "power required to be developed" provisions contained in Section 8.144 hereof, is approved as a temporary main transmitter for use in compliance with Section 354 (c) and 354 (d) of the Communications Act until not later than January 1, 1940.

(d) An electron-tube transmitter installed on board a subject vessel and the use and operation thereof authorized by the radio station license of that vessel prior to July 26, 1939, which will comply with each requirement for a main transmitter contained in Section 8.143 hereof, except the "power required to be developed", will be approved as meeting the requirements of Section 354 (c) and 354 (d) of the Communications Act, provided it is further demonstrated, prior to January 1, 1940, and at any time thereafter as may be deemed necessary by the Commission, to the satisfaction of the Commission that, when normally installed and operated on board a particular vessel in connection with the permanent transmitting antenna of the same vessel, the involved transmitter will produce at least the following prescribed field intensities at a distance of one nautical mile over a path lying wholly over sea water, using the prescribed operating radio frequencies and type A-2 emission.

##### Operating Radio Frequency and Field Intensity

(kc)	Millivolts per meter
500 <sup>1</sup> -----	At least 20.0
375 <sup>1</sup> -----	At least 10.0

<sup>1</sup> The Commission, in each case and upon proper application, may authorize a different frequency as close to these frequencies as possible, to be used for purposes of this demonstration, in order to minimize interference. In such instances, the field intensities required to be produced may be changed in appropriate proportion to the frequency to be used, in accordance with the best available engineering data. (Sec. 354, 50 Stat. 193; 47 U.S.C. 354).

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)) (Sec. 354, 50 Stat. 193; 47 U.S.C. 354).

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 39-3360; Filed, September 13, 1939; 12:40 p. m.]

<sup>1</sup> 4 F.R. 3464 DI.



TITLE 49—TRANSPORTATION AND  
RAILROADSINTERSTATE COMMERCE  
COMMISSION.RAILWAY STATISTICS OF LESS-THAN-CAR-  
LOAD FREIGHT TRAFFIC AND FORWARDER  
CARLOAD FREIGHT TRAFFIC

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 12th day of September, A. D. 1939.

The subject of railway statistics of less-than-carload freight traffic and forwarder carload freight traffic being under consideration:

*It is ordered,* That each Class I steam railway shall file a statement of the volume of l. c. l. freight traffic and the freight forwarder carload traffic handled by it during the period October 1st to 7th, inclusive, of the year 1939, in accordance with the special report form which is hereby approved and made a part of this order.<sup>1</sup>

*It is further ordered,* That this report shall be filed in duplicate in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before October 25, 1939.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 39-3350; Filed, September 13, 1939; 10:32 a. m.]

## Notices

## DEPARTMENT OF AGRICULTURE.

## Commodity Exchange Commission.

LIMITATION ON BUYING OR SELLING  
OF COTTON

## NOTICE OF HEARING

*To all Contract Markets, Futures Commission Merchants, and Parties Interested:*

Whereas, section 4a of the Commodity Exchange Act, 7 U.S.C., Supp. IV, sec. 6a, directs that, for the purpose of diminishing, eliminating, or preventing excessive speculation causing sudden, unreasonable, or unwarranted price changes in any commodity named in the Act, the Commodity Exchange Commission shall, from time to time and after due notice and opportunity for hearing, proclaim and fix such limits on the amount of trading under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market which may be done by any person as said Commission finds is necessary for such purpose;

Now, therefore, notice is hereby given that a hearing will be held beginning at 10 o'clock a. m. on October 9, 1939, in

<sup>1</sup> Filed as a part of the original document; requests for copies should be addressed to the Interstate Commerce Commission.

the Board of Managers' Room of the New York Cotton Exchange, 60 Beaver Street, New York, New York, and at 10 o'clock a. m. on October 16, 1939, in the Board of Directors' Room of the New Orleans Cotton Exchange, 801 Gravier Street, New Orleans, Louisiana, for the presentation of evidence as to (1) what maximum limit should be fixed for the amount of cotton which any person directly or indirectly may buy or sell, or agree to buy or sell, under contracts of sale for future delivery on or subject to the rules of any contract market, on any one business day, and (2) what maximum limit should be fixed for the net long or net short position in cotton which may be held or taken by any person as a result of contracts for future delivery on or subject to the rules of any contract market.

Neither of the aforesaid limits will apply to transactions which are shown to be bona fide hedging transactions as defined in section 4a of the Commodity Exchange Act, 7 U.S.C., Supp. IV, sec. 6a.

Done at Washington, D. C., this 13th day of September 1939.

Commodity Exchange Commission.

[SEAL] H. A. WALLACE,  
Secretary of Agriculture.  
EDWARD J. NOBLE,  
Acting Secretary of Commerce.  
FRANK MURPHY,  
Attorney General.

[F. R. Doc. 39-3356; Filed, September 13, 1939; 12:10 p. m.]

## DEPARTMENT OF LABOR.

## Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTI-  
FICATES FOR THE EMPLOYMENT OF LEARN-  
ERS IN THE HOSIERY INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Hosiery Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 (Hosiery Wage Order) are issued to the employers listed below effective September 18, 1939 to May 18, 1940, subject to the following terms:

## OCCUPATIONS AND WAGE RATES

The employment of learners in the Hosiery Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

[Here follows, in the original document, a table identical with that appearing on Page 3827 of the "Federal Register" for Thursday, September 7, 1939.]

## NAME AND ADDRESS OF FIRM

Number of  
learners

Berryville Mills, Inc., Berryville, Virginia.....	12
Biltmore Hosiery Co., Inc., Naples, North Carolina.....	13

## NAME AND ADDRESS OF FIRM—continued

Number of  
learners

Cambridge Hosiery Mills, Inc., 135 High Street, Cambridge, Maryland.....	48
Georgia Hosiery Mills, Blakely, Georgia.....	10
Hugh Grey Hosiery Company, Concord, North Carolina.....	35
Jonelle Mill, Portland, Pennsylvania.....	8
Laughlin F. F. Hosiery Mills, Inc., Randleman, North Carolina.....	8
Marum Knitting Mills, Incorporated, 15 Union Street, Lawrence, Massachusetts.....	9
Milne Hosiery Mills, South Broad Street, Cleveland, Tennessee.....	10
Penderlea Manufacturing Co., Inc., Wil- lard, North Carolina.....	47
Red House Manufacturing Co., Inc., Red House Farms, Eleanor, North Carolina.....	47
Skyline Manufacturing Co., Inc., Scotts- boro, Alabama.....	24
Wyatt Knitting Company, Goldsboro Av- enue, Sanford, North Carolina.....	28

These Special Certificates are issued ex parte under Section 14 of the said Act, Section 522.5 (b) of Regulations Part 522, as amended.<sup>1</sup> For fifteen days following the publication of this notice the Administrator will receive detailed written objections to any of these Special Certificates and requests for hearing from interested persons. Upon due consideration of such objections as provided for in said Section 522.5 (b), such Special Certificates, or any of them, may be canceled as of the date of their issuance and if so canceled, reimbursement of all persons employed under such certificates must be made in an amount equal to the difference between the applicable statutory minimum wage and any lesser wage paid such persons.

Signed at Washington, D. C., this 13th day of September 1939.

MERLE D. VINCENT,  
Chief of Hearings and  
Exemptions Section.

[F. R. Doc. 39-3357; Filed, September 13, 1939; 12:14 p. m.]

## CIVIL AERONAUTICS AUTHORITY.

[Docket No. 59-401(E)-1]

IN THE MATTER OF THE APPLICATION OF  
TRI-STATE AVIATION CORPORATION FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY UNDER SECTION 401(E)  
OF THE CIVIL AERONAUTICS ACT OF 1938.

## NOTICE OF POSTPONEMENT OF HEARING

Public hearing in the above-entitled proceeding, now assigned for September 14, 1939,<sup>2</sup> is hereby postponed to September 21, 1939, 10 o'clock a. m. (Eastern Standard Time) in Room 2062, Commerce Building, Washington, D. C.

Dated Washington, D. C., September 12, 1939.

[SEAL] ROBERT J. BARTOO,  
Examiner.

[F. R. Doc. 39-3348; Filed, September 13, 1939; 10:07 a. m.]

<sup>1</sup> 4 F.R. 2088 DI.

<sup>2</sup> 4 F.R. 3519 DI.



## SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 9th day of September, A. D. 1939.

[File No. 43-182]

IN THE MATTER OF COLUMBIA CORPORATION  
ORDER RELATIVE TO EFFECTIVENESS OF  
DECLARATION

Columbia Corporation, a subsidiary company of Columbia Gas & Electric Corporation, a registered holding company, having filed a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the reduction of its capital stock, represented by 115,000 shares of common stock without par value, from \$5,750,000 to \$3,450,000:

*It is ordered*, That said declaration be and become effective forthwith subject, however, to the following terms and conditions:

1. That all corporate action and all matters connected therewith or related thereto shall be performed in all respects as set forth in, and for the purposes represented by, the declaration as amended;
2. That no charges, except those presently proposed, shall be made to Special Capital Surplus or to Reserve for Investments unless (a) such charge has previously been authorized by appropriate resolution of declarant's board of directors, and (b) subsequent to such resolution of the board of directors, thirty days' prior notice of the making of such charge be given to this Commission. The Commission reserves jurisdiction, on receipt of such notice, in and as part of the proceedings herein, after notice given within such thirty days and opportunity for hearing, to disapprove such charge on the basis of the record herein and any additional evidence that may be adduced by any interested party; and in the event that the Commission shall notify declarant to show cause why such charge should not be disapproved, the charge in question shall not be made until expressly authorized by order of this Commission;
3. That with respect to any part of Special Capital Surplus or Reserve for Investments which is not used for the purpose outlined by the declarant jurisdiction is reserved by this Commission, in and as part of the proceedings herein, with respect to the ultimate disposition of such balance.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-3351; Filed, September 13, 1939; 11:25 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 11th day of September 1939.

IN THE MATTER OF JULIAN H. BACHRACH,  
30 BROAD STREET, NEW YORK, NEW YORK

ORDER FOR PROCEEDINGS AND NOTICE OF  
HEARING ON THE QUESTION OF REVOCATION  
OR SUSPENSION OF REGISTRATION

The Commission having reasonable grounds to believe that Julian H. Bachrach, a sole proprietorship registered as a broker under Section 15 (b) of the Securities Exchange Act of 1934, herein-after referred to as the registrant, has willfully violated Rule X-15B-2 adopted by the Commission pursuant to Sections 15 (b), 17 (a) and 23 (a) of the said Act by reason of the registrant having willfully failed to report and correct the inaccuracy of the information furnished:

(a) Under Item 2 of the application for registration by means of a supplemental report on Form 6-M, disclosing the removal of registrant's offices from 30 Broad Street, New York, New York, the address given under that item of the application for registration; and

(b) Under Item 7 of the application for registration, by means of a supplemental report on Form 6-M, disclosing the removal of the sole proprietor of registrant from residence at 120 East 39th Street, New York, New York, the address given under that item of the application for registration; and

(c) Under Items 15 (a) and 15 (b) of the application for registration, by means of a supplemental report on Form 6-M, disclosing the fact that registrant was suspended from membership in the New York Curb Exchange on February 18, 1939; and

The Commission further having reasonable grounds to believe that it is necessary and appropriate in the public interest and for the protection of investors to revoke registration and to suspend registration pending final determination whether registration shall be revoked; and

The Commission being of the opinion that it is necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted for the purposes below provided:

*It is ordered*, That proceedings be held to determine whether the registration of Julian H. Bachrach should be revoked or suspended pursuant to the provisions of Section 15 (b) of the Securities Exchange Act of 1934.

*It is further ordered*, That a hearing for the purpose of taking evidence be held at 10:00 A. M. on October 2, 1939, at the New York Regional Office of the Securities and Exchange Commission,

120 Broadway, New York, New York, and that the said hearing be continued at such other time or place as the Commission or the officer conducting such hearing may determine; that for the purpose of said hearing Adrian C. Humphreys be and he is hereby designated as the officer of the Commission to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, require the production of books, papers, correspondence, memoranda, and any and all other records deemed relevant or material to the matters in issue at such hearing, and to perform all other duties in connection therewith as authorized by law.

*It is further ordered*, That this order and notice be served on the said registrant, personally or by registered mail, not less than seven (7) days prior to the time of the hearing, or in the event of failure to serve registrant personally or by registered mail that this order and notice be published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to conclude said hearing, make his report to the Commission and transmit same with a record of this hearing to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-3354; Filed September 13, 1939; 11:25 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 11th day of September 1939.

IN THE MATTER OF W. H. TOTSCH, 427  
COOPER STREET, CAMDEN, NEW JERSEY

ORDER FOR PROCEEDINGS AND NOTICE OF  
HEARING ON THE QUESTION OF REVOCATION  
OR SUSPENSION OF REGISTRATION

W. H. Totsch, a sole proprietorship hereinafter referred to as the registrant, being registered with the Commission as an over-the-counter dealer pursuant to Section 15 (b) of the Securities Exchange Act of 1934; and

The Commission having reasonable grounds to believe that the said registrant was convicted on June 6, 1939, in Crawford County, Ohio, of a felony involving the purchase and sale of securities, and arising out of the conduct of the business of a broker or dealer; and that the registrant has willfully violated Rule X-15B-2 adopted by the Commission pursuant to Sections 15 (b), 17 (a) and 23 (a) of the Securities Exchange Act of 1934, by reason of the registrant



having willfully failed to report and correct the inaccuracy of the information furnished under Item 20 of the aforesaid application by means of a supplemental statement disclosing the fact that the said registrant was convicted as alleged above; and

The Commission further having reasonable grounds to believe that it is necessary and appropriate in the public interest and for the protection of investors to revoke registration and to suspend registration pending final determination whether registration shall be revoked; and

The Commission being of the opinion that it is necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted for the purposes below provided:

*It is ordered*, That proceedings be held to determine whether the registration of W. H. Totsch should be revoked or suspended pursuant to the provisions of Section 15 (b) of the Securities Exchange Act of 1934.

*It is further ordered*, That a hearing for the purpose of taking evidence be held at 10:00 A. M. on October 4, 1939, at the New York Regional Office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and that the said hearing be continued at such other time or place as the Commission or the officer conducting such hearing may determine; that for the purpose of said hearing Adrian C. Humphreys be and he is hereby designated as the officer of the Commission to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, require the production of books, papers, correspondence, memoranda, and any and all other records deemed relevant or material to the matters in issue at such hearing, and to perform all other duties in connection therewith as authorized by law.

*It is further ordered*, That this order and notice be served on the said registrant, personally or by registered mail,

not less than seven (7) days prior to the time of the hearing, or in the event of failure to serve registrant personally or by registered mail that this order and notice be published in the FEDERAL REGISTER in the manner prescribed by the Federal Register Act.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to conclude said hearing, make his report to the Commission and transmit same with a record of this hearing to the Commission. By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-3353; Filed, September 13, 1939; 11:25 a. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of September, A. D. 1939.

[File No. 46-170]

IN THE MATTER OF THE MINNEAPOLIS GENERAL ELECTRIC COMPANY AND SUBSIDIARIES

NOTICE OF AND ORDER FOR HEARING

Applications and declarations pursuant to sections 6 (b), 7, 10 (a) and 12 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

*It is ordered*, That a hearing on such matter be held on September 25, 1939, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered*, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time. Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 20, 1939.

The matter concerned herewith is in regard to a proposed partial simplification of the holding company system of The Minneapolis General Electric Company, to be accomplished by transfers of properties, assets and securities among The Minneapolis General Electric Company and its subsidiaries, which are wholly owned, directly or indirectly. As a result of these transactions three of the subsidiaries, Western Wisconsin Power Company, The St. Croix River Navigation and Improvement Company and St. Croix Lumbermen's Dam & Boom Company would ultimately be eliminated. The two remaining subsidiaries would be the St. Croix Falls Wisconsin Improvement Company and the St. Croix Falls Minnesota Improvement Company. The former company would as a result of these transactions own the entire St. Croix Falls Hydro Project and the Nevers Dam Development on the St. Croix River.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-3352; Filed, September 13, 1939; 11:25 a. m.]



